

ORDINANCE TO AUTHORIZE FEES FOR TAMPERING WITH WATER METERS
AND LOCKS AND TO CREATE PRESUMPTION FOR ENFORCEMENT

THE CITY COUNCIL OF THE CITY OF DURHAM ORDAINS:

Sec. 1. The existing text of City Code section 70-1 is labeled subsection (a), and the following new subsection (b) is added:

(b) A fee set from time to time by the city council shall be imposed on any person who alters, tampers with, or bypasses a water meter or tampers with a water meter lock. The fee may include reimbursement for costs of materials and labor for replacement or repair. Any water meter or water meter lock found to have been altered, tampered with, or bypassed in a manner (i) that would cause such meter to inaccurately measure and register the water consumed, (ii) that would cause the water to be diverted from the recording apparatus of the meter, or (iii) that would allow the flow of water to a location whose service had been disconnected by the City due to failure to make payment, shall be prima facie evidence that the alteration, tampering, and bypassing were done by the person in whose name such meter is installed and the persons using or receiving the benefits of such unmetered, unregistered, or diverted water, all of whom shall be jointly and severally liable. Assessment of fees under this subsection does not affect liability for other charges, penalties, and consequences imposed for the same acts.

Sec. 2. This ordinance takes effect July 1, 2015.